

Specie B: An image display medium containing silicone oil and a colored particulate material having an acidic or basic group, Claims 13, 14, 18-21 and 23.

The Office has characterized the relationship between Groups I-II as mutually exclusive species in an intermediate-final product relationship. Citing MPEP §806.04(b) third paragraph, the Office suggests that the "intermediate product is deemed to be useful as golf ball material and the inventions are deemed patentably distinct". However, the Office has merely stated a conclusion that the "intermediate product" is useful for a "golf ball material". Furthermore, the Office has not shown that "golf ball material" and the inventions of Groups I-II are materially different. Accordingly, Applicants respectfully submit that the Requirement for Restriction is unsustainable, and it should therefore be withdrawn.

Applicants respectfully submit that a search of all the claims would not impose a serious burden on the Office.


Finally, with respect to the elected species, Applicants respectfully submit that, should the elected species be found allowable, the Office should expand its search to the non-elected species.

Therefore, for the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Requirement for Restriction and Election of Species. Withdrawal of the Requirement for Restriction and Election of Species is respectfully requested.

Applicants respectfully submit that the above-identified application is now in
condition for examination on the merits, and early notice of such action is earnestly solicited

Respectfully submitted,

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